



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

MAY 22 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In Reply Refer to: 3HW16

Mr. James R. Cossaboon,
Site Services Manager
Certainteed Corporation
750 East Swedesford Road
Valley Forge, PA 19482

Re: Certainteed Pile, Ambler Asbestos Site,
Ambler, Pennsylvania (see enclosed map)

Dear Mr. Cossaboon:

The United States Environmental Protection Agency (EPA or the Agency) has expended public funds to investigate threatened releases of hazardous substances at the above referenced site. This letter notifies you that EPA may spend additional public funds on action to further investigate and control these threatened releases. Unless EPA determines that a responsible party will properly perform such actions, EPA intends to do so pursuant to Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. § 9601 et seq. as amended by the Superfund Amendments and Reauthorization Act of 1986, Public Law 99-449, 100 Stat. 1613 (October 17, 1986), (CERCLA) and the National Contingency Plan, 40 C.F.R. § 300.68. Specifically, the Agency intends to conduct or oversee a Focused Remedial Investigation/Feasibility Study (RI/FS) at the Certainteed Pile, Ambler Asbestos Site, Ambler, Pennsylvania. The Ambler Asbestos Site consists of two waste piles on Nicolet, Inc's. property and the Certainteed Pile. The Ambler Asbestos Site is on EPA's National Priority List. A Remedial Investigation/Feasibility Study is being conducted by EPA on Nicolet Inc's. piles. By means of this letter, Certainteed has the opportunity to either conduct the Focused RI/FS on their pile or to collect the necessary data for such a Focused RI/FS. EPA would then take that data and incorporate it into the ongoing RI/FS that it is conducting on Nicolet Inc's. piles. The necessary data collection includes, but is not limited to the following: 5 borings, 2 piezometers, 2 test pits, 5 stream samples, 5 air samples, 5 sediment samples, 10-20 cover soil/bulk samples. Enclosed is EPA RI/FS guidance.

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The Agency will, upon request, discuss this information with your company and will provide additional information on the nature and extent of the threatened releases.

In addition to the above studies, your company may be asked at a later date to undertake, or may be liable for, any additional corrective measures necessary to protect public health, welfare, or the environment. Such measures may include but are not limited to designing and implementing the EPA approved remedial option; and providing any monitoring and maintenance necessary after remedial measures are completed.

Under Section 122(e) of CERCLA, as amended, 42 U.S.C. § 9622(e), responsible parties may be extended the opportunity to present a good faith proposal to conduct the RI/FS to the Agency within sixty (60) days of receipt of a "special notice" letter. This special notice letter will be forwarded to you at such time that your company has expressed some interest in performing or participating in the Focused RI/FS and the Agency determines that such notice would facilitate an agreement and expedite remedial action. Should this proposal be received by the Agency within this time frame, the Agency will allow additional time totaling ninety (90) days from receipt of the special notice letter for negotiations between your company and the Agency. This good faith proposal should be in writing and indicate your company's qualifications and willingness to conduct or participate in the Focused RI/FS.

EPA will consider an immediate offer from you to conduct (under EPA supervision) the Focused RI/FS described in the attached scope of work. Under Section 104(a) of CERCLA, as amended, 42 U.S.C. § 9604(a), the President must determine that the responsible party qualified to conduct the RI/FS, will promptly and properly complete the same and agree to reimburse the government for any costs incurred by or in connection with the RI/FS in order to allow the responsible party to undertake such action. Your company may also fund an EPA directed Focused RI/FS. Any agreement to perform or fund all or part of the Focused RI/FS will be embodied in a consent order under Section 106 of CERCLA, as amended, 42 U.S.C. § 9606. You should notify EPA in writing within fourteen (14) calendar days from the receipt of this letter, of whether your company is willing to conduct or participate in the Focused RI/FS. Your correspondence should be addressed to Hector Abreu (JHW16), 841 Chestnut Building, Philadelphia, Pennsylvania 19107. If you need further information, Mr. Abreu can be reached at (215) 597-9562. Your letter should indicate the appropriate name, address and telephone number for further contact with a representative of CertainTeed. Otherwise, EPA will assume that your company declines any involvement in the Focused RI/FS and will proceed with the appropriate studies and any expedited response actions needed to secure the site. EPA may later

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invite your company to undertake the design and implementation of the selected remedy upon the Agency's completion of the Focused RI/FS.

Should your company provide the expression of willingness to conduct or participate in the Focused RI/FS as described above, EPA will refrain from expending funds for the site for a period of time so that meaningful discussions concerning a Consent Order can take place. In order that remedial actions proceed expeditiously, the maximum period of time that EPA will allow for discussions is ninety (90) calendar days from receipt of a special notice letter.

If your company is already involved in discussions with State or local authorities, engaged in voluntary action, or involved in a lawsuit regarding this site, you should not interpret this letter to advise or direct your company to restrict or discontinue any such activities. On the other hand, this letter should not be interpreted as endorsing any such efforts by State or local authorities. You should report, however, the status of those discussions or that action in your letter to us. Please provide a copy of your letter to any other party involved in those discussions. You should also be aware that this site can not be delisted from the CERCLA National Priority List until after an RI/FS has been completed and the necessary remedial work concluded in accordance with the enclosed RI/FS guidance and EPA's National Contingency Plan.

Under Section 107 of CERCLA, as amended, 42 U.S.C. § 9607, responsible parties are liable for the costs of response actions. Under this Section, responsible parties included:

1. present owners or operators of the site; 2) owners or operators at the time of disposal; 3) any persons who arranged for disposal or treatment of hazardous substances at the site; and, 4) transporters of hazardous substances to the site. EPA has information indicating that you are the present owner of the site and that you were the owner at the time of disposal.

Under Section 106(a) and 107(a) of CERCLA, as amended, 42 U.S.C. § 9606(a) and 9607(a), responsible parties may be obligated to implement any needed relief actions as determined by EPA and may also be liable for all costs incurred by the government in responding to any release or threatened release of hazardous substances at the site. Such costs can include, but are not limited to; expenditures for investigation, planning, cleanup of the site, and enforcement. By this letter EPA notifies you of your company's potential liability with regard to this matter and encourages your company to voluntarily undertake the Focused RI/FS which will be overseen by EPA.

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The factual and legal discussions contained in this letter are intended solely for notification and information purposes. They are not intended to be and cannot be relied upon as a final agency position on any matter set forth herein.

This information request is not subject to the Office of Management and Budget Review under the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

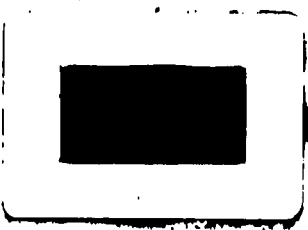
Sincerely,


Stephen R. Wassersug, Director,
Hazardous Waste Management Division

Enclosures: location map,
EPA RI/FS guidance

cc: Timothy Alexander
Gene Lucero
Lydia Isales, Esquire
Suzanne Canning
Donald Lazarchik

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